



US Army Corps
of Engineers
Memphis District

Public Notice

REPLY TO ATTN: Josh Bright
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-0926
Fax: (901) 544-3266
Email: Joshua.K.Bright@usace.army.mil
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:
MVM-2006-102-JKB
PUBLIC NOTICE DATE:
April 7, 2006
EXPIRATION DATE:
May 8, 2006

Public Notice Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Wayne Todd
WATCO
4504 Sweethorn Drive
Arlington, Tennessee 38002
(901) 301-7766

AGENT: Timothy Brophy
Brophy-Heineke & Associates, Inc.
2978 Shelby Street
Bartlett, Tennessee 38134-4538
(901) 373-3289

LOCATION: The project is located within the Brunswick Farms Subdivision in Shelby County, Tennessee, at approximate latitude 35.2565 and longitude - 89.7638 on the Brunswick 7.5 minute quadrangle map.

PURPOSE: The purpose of the project is to prepare the subject property for the construction of a residential development.

DESCRIPTION OF WORK: The applicant proposes to relocate approximately 1,665 linear feet of an unnamed tributary to Oliver Creek. The old channel will be filled after the construction of the new channel. The new channel will be 1,763 linear feet in length, a gain of 98 linear feet. The new stream channel will be approximately 6 feet wide and 2 feet deep. Along the northern site boundary, for approximately 1,363 linear feet, the channel will be constructed within a 14-foot wide high flow channel. The banks of the high flow channel will have a 3H:1V slope. The remaining 400 feet of channel located along the eastern edge of the site will not be placed in a high flow channel but within an approximately 90-foot wide modified detention basin. This shallow modified basin should act as an artificial floodplain. Native bottomland hardwood trees will be planted on 10-foot centers along both sides of the new channel.

WATER QUALITY CERTIFICATION: The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, and the public in response to this public notice and we may conduct, or require a survey of the project area. A preliminary in-house records search indicated no sites have been recorded within the project area. However, the lack of recorded sites may be due to lack of cultural surveys around the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally-recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

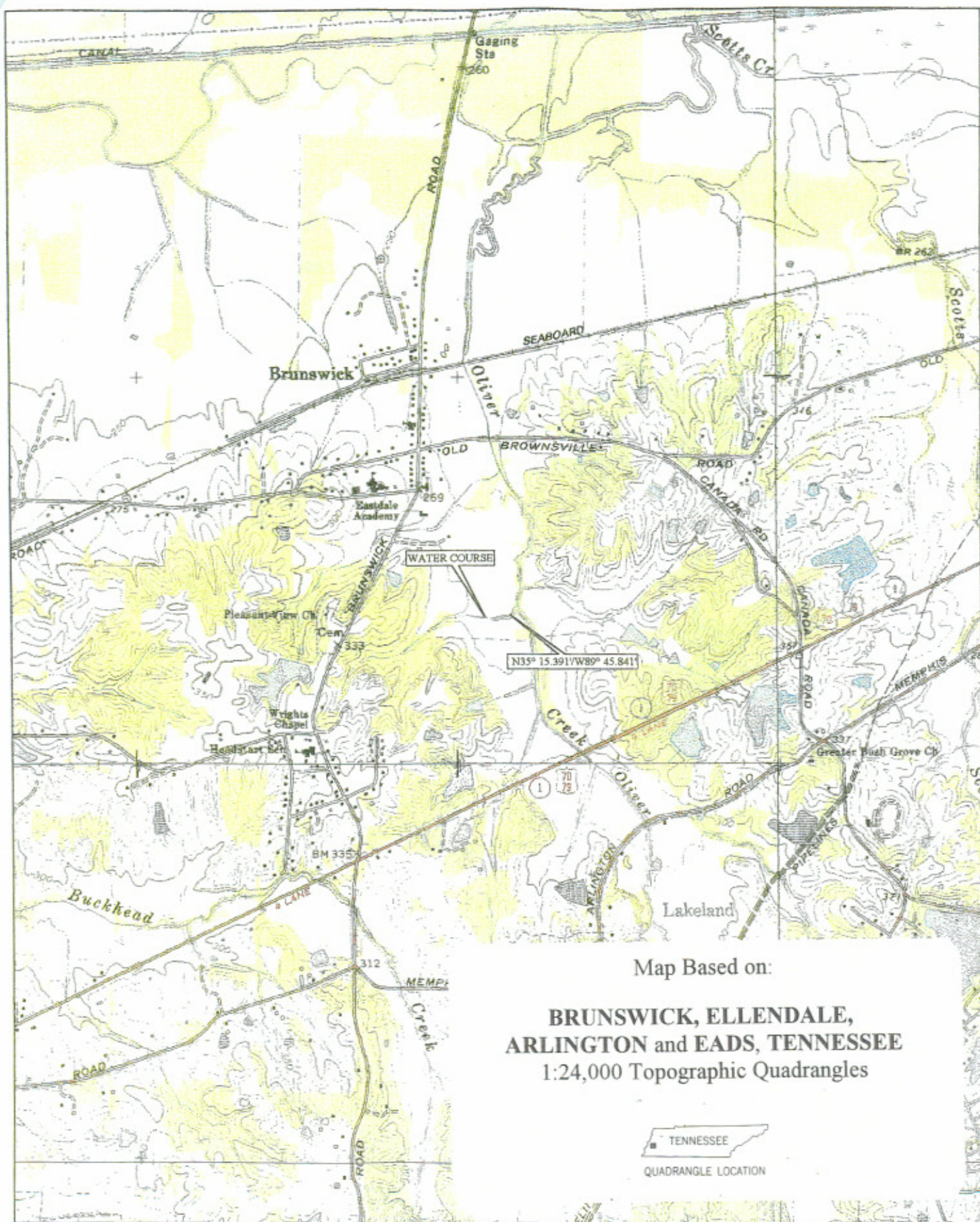
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Josh Bright at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0926. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

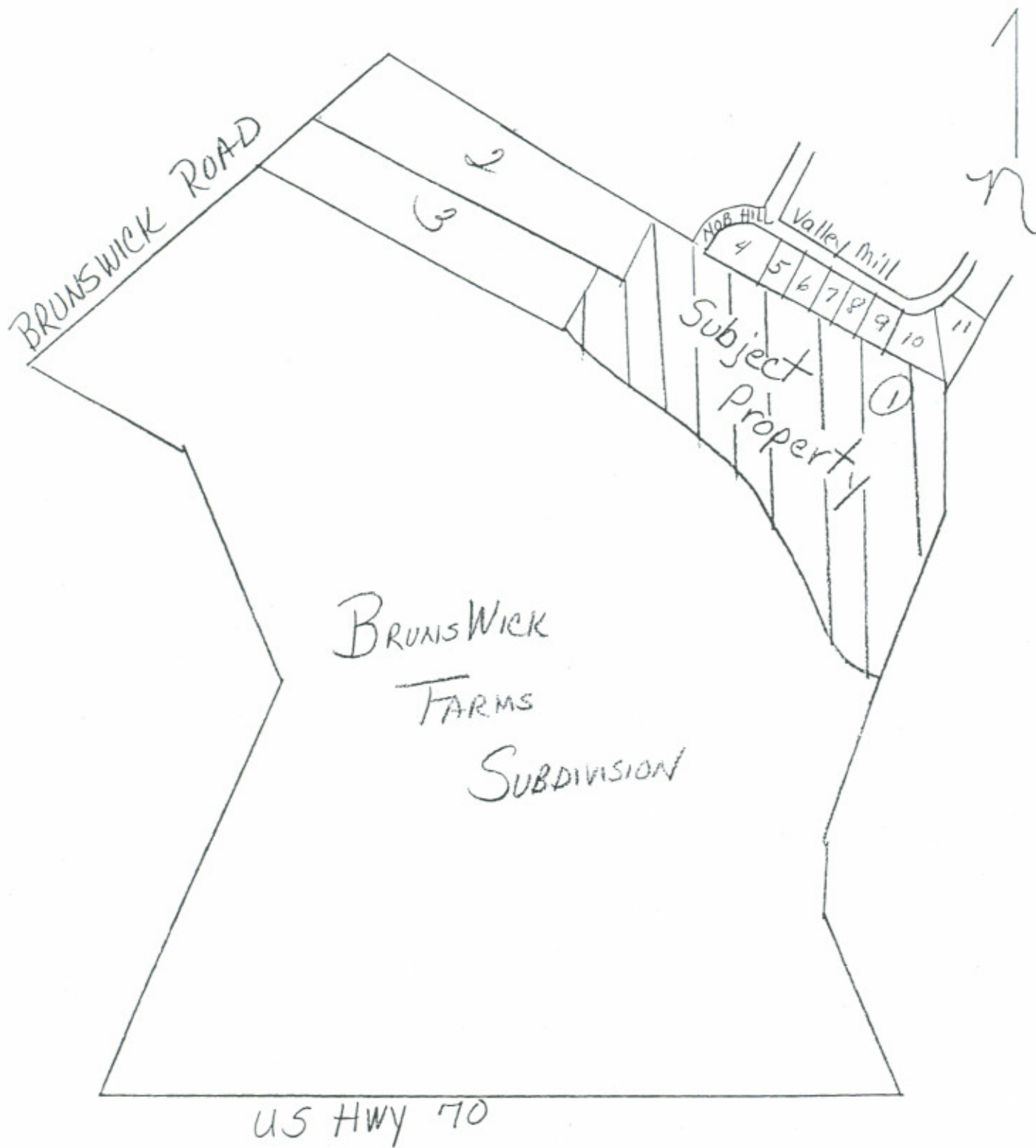
Comments should be received by May 8, 2006.



Larry D. Watson
Chief
Regulatory Branch

Attachments



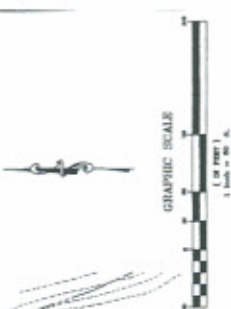
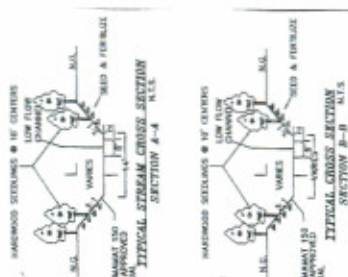


1. Subject Property
2. Albert Stauffer
3. Tommy Whitlow
4. Reno Greganti
5. Wayne Mills Enterprises
6. Andre Miller
7. Mills Enterprises
8. James Cooper
9. William Walsh
10. Wayne Mills Enterprises
11. Bryan Edmiston

VICINITY MAP
Dickinson & Bennett, Inc.

March 11, 2005

1" = 500'

[illegible]

BENCHMARK

LENGTH OF EXISTING CHANNEL 1,665 FT.
LENGTH OF PROPOSED CHANNEL 1,763 FT.

PROJECT: BUNCHMAN
CITY OF MEMPHIS MATCH MARK AT NORTHEAST CORNER
NEW BUNCHMAN AND OLD BUNCHMAN, NORTH OF HIGHWAY 84,
ALBANY, GA. IN CONCRETE AT END OF MAIN ROAD, EAST SIDE
NEW BUNCHMAN. ELEVATION=325.68

TRUMPETER BUNCHMAN
CITY OF MEMPHIS MATCH MARK AT NORTHEAST CORNER
NEW BUNCHMAN AND OLD BUNCHMAN, NORTH OF HIGHWAY 84,
ALBANY, GA. IN CONCRETE AT END OF MAIN ROAD, EAST SIDE
NEW BUNCHMAN. ELEVATION=325.68

FLUORIDE WPTD
THIS PROPERTY IS NOT LOCATED WITHIN FLOOD HAZARD AREA
AS PER PER COMMUNITY PANEL NUMBER 473703 0110 E.
DATED DECEMBER 2, 1994.

FLOOD NOTICE
THIS PROPERTY IS
AS PER FIRM CO
DATED DECEMBER